

## **2005 DRAFTING REQUEST**

### **Assembly Amendment (AA-AB851)**

Received: **01/11/2006**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

---

#### **Pre Topic:**

No specific pre topic given

---

#### **Topic:**

Neighborhood electric vehicles

---

#### **Instructions:**

if overlapping jurisdiction, both must consent or agree to allow nev's

---

#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 01/13/2006 phurley 01/24/2006	jdye 01/13/2006 jdye 01/24/2006	pgreensl 01/13/2006	_____ _____ _____	lnorthro 01/13/2006	lnorthro 01/13/2006	
/2			rschlue 01/24/2006	_____ _____	lnorthro 01/24/2006	lnorthro 01/24/2006	

FE Sent For:

## 2005 DRAFTING REQUEST

### Assembly Amendment (AA-AB851)

Received: 01/11/2006

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies: ARG

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Neighborhood electric vehicles

---

#### Instructions:

if overlapping jurisdiction, both must consent or agree to allow nev's

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 01/13/2006	jdye 01/13/2006	pgreensl 01/13/2006		lnorthro 01/13/2006	lnorthro 01/13/2006	

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB851)**

Received: **01/11/2006**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Neighborhood electric vehicles

---

**Instructions:**

if overlapping jurisdiction, both must consent or agree to allow nev's

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley	1/13 jld	1/13 ps	1/13 ps			

FE Sent For:

<END>

## Hurley, Peggy

---

**From:** Waldrop, Joyce  
**Sent:** Tuesday, January 10, 2006 3:33 PM  
**To:** Hurley, Peggy  
**Subject:** FW: AB 851

**Importance:** High

Peggy,

Slight modification add consent to the second amendment, so that it allows consent or agreement.

Joyce

---

**From:** Waldrop, Joyce  
**Sent:** Tuesday, January 10, 2006 3:20 PM  
**To:** Hurley, Peggy  
**Subject:** AB 851  
**Importance:** High

Peggy,

Please draft the following simple amendments:

1. Require that Neighborhood Electric Vehicles be limited to roadways that are posted as 35 MPH or less.
2. Require where there is overlapping jurisdiction, each of the governing bodies must enter into an agreement or obtain consent to allow NEVs.

If you have any questions please call me.

Joyce Waldrop  
Chief of Staff/Committee Clerk  
jwaldrop@legis.state.wi.us

Representative Sheryl Albers  
50th Assembly District  
Property Rights and Land Management  
15 North State Capitol  
PO Box 8952  
Madison, WI 53708  
Ph. 608/266-8531  
Fax 608/282-3650

## 2005 ASSEMBLY BILL 851

December 5, 2005 - Introduced by Representatives ALBERS, GOTTLIEB, KRAWCZYK, BERCEAU, TOWNSEND, PETROWSKI, MCCORMICK, HAHN, BALLWEG and GUNDERSON, cosponsored by Senator SCHULTZ. Referred to Committee on Urban and Local Affairs.

- 1 **AN ACT to create** 349.26 of the statutes; **relating to:** allowing a city, town, or  
2 village to allow persons to operate a neighborhood electric vehicle on local  
3 highways.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Transportation generally determines which vehicles are suitable for operation along highways. This bill allows the governing body of a city, town, or village to allow, by ordinance, the operation of a neighborhood electric vehicle on any roadway over which the governing body has jurisdiction. A neighborhood electric vehicle is a four-wheeled vehicle that has a maximum speed of 20 to 25 miles per hour. The bill also allows a city, town, or village to license low-speed vehicles that are operated within the city, town, or village limits.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 4 **SECTION 1.** 349.26 of the statutes is created to read:  
5 **349.26 Authority to allow the operation of neighborhood electric**  
6 **vehicles.** (1) In this section, "neighborhood electric vehicle" means a self-propelled

**ASSEMBLY BILL 851****SECTION 1**

1 motor vehicle that has successfully completed the neighborhood electric vehicle  
2 America test program conducted by the federal department of energy, and that  
3 conforms to the definition and requirements for low-speed vehicles as adopted in the  
4 federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3  
5 (b) and 571.500. "Neighborhood electric vehicle" does not include a golf cart.

6 (2) The governing body of any city, town, or village may by ordinance allow the  
7 use of a neighborhood electric vehicle on a roadway over which the governing body  
8 has jurisdiction. An ordinance passed under this section may contain a provision for  
9 the city, town, or village to license neighborhood electric vehicles that are used within  
10 the city, town, or village limits.

11 (END)



## Hurley, Peggy

---

**From:** Waldrop, Joyce  
**Sent:** Wednesday, January 11, 2006 1:49 PM  
**To:** Hurley, Peggy  
**Subject:** RE: AB 851

Peggy,

The example the Representative gave was:

A state road that goes through a town - State pays for and town maintains.

Joyce

---

**From:** Hurley, Peggy  
**Sent:** Wednesday, January 11, 2006 11:49 AM  
**To:** Waldrop, Joyce  
**Subject:** RE: AB 851

Hi Joyce,

I just spoke with Marc Shovers, our resident expert on cities, towns, and villages. He doesn't see any way there would ever be "overlapping jurisdiction" among a city, town, or village: each has discreet boundaries. Are you thinking, perhaps of extraterritorial zoning? Mr. Shovers doesn't think that would present a problem to the use of NEV's, either. Please clarify. Thanks!

Peggy

---

**From:** Waldrop, Joyce  
**Sent:** Tuesday, January 10, 2006 3:34 PM  
**To:** Hurley, Peggy  
**Subject:** FW: AB 851  
**Importance:** High

Peggy,

Slight modification add consent to the second amendment, so that it allows consent or agreement.

Joyce

---

**From:** Waldrop, Joyce  
**Sent:** Tuesday, January 10, 2006 3:20 PM  
**To:** Hurley, Peggy  
**Subject:** AB 851  
**Importance:** High

Peggy,

Please draft the following simple amendments:

1. Require that Neighborhood Electric Vehicles be limited to roadways that are posted as 35 MPH or less.
2. Require where there is overlapping jurisdiction, each of the governing bodies must enter into an agreement or obtain consent to allow NEVs.

If you have any questions please call me.

Joyce Waldrop  
Chief of Staff/Committee Clerk  
jwaldrop@legis.state.wi.us

Representative Sheryl Albers  
50th Assembly District  
Property Rights and Land Management  
15 North State Capitol  
PO Box 8952  
Madison, WI 53708  
Ph. 608/266-8531  
Fax 608/282-3650



SOON

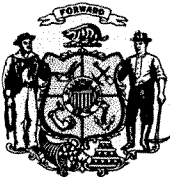
JLd

**ASSEMBLY AMENDMENT ,  
TO 2005 ASSEMBLY BILL 851**

1-13-06

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 8: after "jurisdiction." insert "A city, town, or village that passes
- 3 an ordinance under this section shall enter into an agreement with, or obtain the
- 4 consent of, each governing body that shares jurisdiction over a roadway within the
- 5 city, town, or village, to permit the use of neighborhood electric vehicles."

6 (END)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa2057/1  
PJH:jld:pg

ASSEMBLY AMENDMENT,  
TO 2005 ASSEMBLY BILL 851

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 8: after "jurisdiction." insert "A city, town, or village that passes  
3 an ordinance under this section shall enter into an agreement with, or obtain the  
4 consent of, each governing body <sup>where should exist</sup> that shares jurisdiction over a roadway within the  
5 city, town, or village, to permit the use of neighborhood electric vehicles." <sup>might be</sup>

6 (END)

sent  
PJH  
11/18/05  
pm

might be  
permitted

keep as  
is "that shares juris"  
modifies "young body"

Doesn't make  
sense to me!  
to permit  
might be permitted

for which  
designation  
for use of  
highway  
Hwy 12  
Jan B  
Caldwell

## Hurley, Peggy

---

**From:** Waldrop, Joyce  
**Sent:** Wednesday, January 18, 2006 3:52 PM  
**To:** Hurley, Peggy  
**Subject:** Change to A 2057/1

Peggy,

Would you please make the following change to the above amendment:

- Page 1 line 4 to read "consent of, each governing body where shared jurisdiction exist over a roadway within the"
- Page 1 line 5 at the end of the sentence add **might be permitted.**

Joyce Waldrop  
Chief of Staff/Committee Clerk  
jwaldrop@legis.state.wi.us

Representative Sheryl Albers  
50th Assembly District  
Property Rights and Land Management  
15 North State Capitol  
PO Box 8952  
Madison, WI 53708  
Ph. 608/266-8531  
Fax 608/282-3650

## Hurley, Peggy

---

**From:** Waldrop, Joyce  
**Sent:** Wednesday, January 18, 2006 5:07 PM  
**To:** Hurley, Peggy  
**Subject:** NEV

Just a quick note. Sheryl's intent is to ensure that language allows for crossover designation not just a lane that runs parallel to or is the highway. Her suggestion is that :  
Page 1 line 5 after the word "of" insert **and/or crossings of**.

This was language she suggested before the recent request. I am not sure it is necessary with the other changes requested earlier. I will submit to your expertise.

Joyce Waldrop  
Chief of Staff/Committee Clerk  
jwaldrop@legis.state.wi.us

Representative Sheryl Albers  
50th Assembly District  
Property Rights and Land Management  
15 North State Capitol  
PO Box 8952  
Madison, WI 53708  
Ph. 608/266-8531  
Fax 608/282-3650

**ASSEMBLY AMENDMENT ,  
TO 2005 ASSEMBLY BILL 851**

Soon  
1-24-05

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 8: after "jurisdiction." insert "A city, town, or village that passes  
3 an ordinance under this section shall enter into an agreement with, or obtain the  
4 consent of, each governing body that shares jurisdiction over a roadway within the  
5 city, town, or village, to permit the use of neighborhood electric vehicles."

6 (END)

to use or cross  
the roadway